IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUM. SUIT NO. 591 OF 2002

Bank of India .. Plaintiff.

vs.

Mr. Altaf Khan .. Defendant.

Mr. O.A. Das for plaintiff.

None for defendants.

CORAM : S.U.KAMDAR, J.

DATE : 9th January,2006.

P.C.

. The suit is filed on the basis of the claim arising out of credit card issued by the plaintiffs pursuant to an application made by the defendant. The credit card bearing no. 5420 3430 1583 0701 has been used by the defendant including withdrawal of cash. In the aforesaid circumstances, the present suit has ben filed for recovery of sum of Rs. 58,000.00. with further interest on Rs. 21,319.00 at the rate of 12% p.a. simple ate of interest. The affidavit of service of the writ of summons dated 15.1.2003 is filed. The same is taken on record. Despite service of writ of summons, no vakalatnama has been filed. The Plaintiff tenders a

compilation of original documents which is taken on record and marked Ex. P-1 collectively. In that light of the matter, I pass the following decree.

> There shall be a decree in favour of the plaintiff and against the defendant in the sum of Rs. 58,000.00 along with interest on the principal amount of Rs. 21,319.00 at the rate of 12% p.a. at simple rate of interest. Refund of court fee as per rules.

2. Suit is disposed off accordingly.